

THE TOWN OF PELHAM  
STATE OF NEW HAMPSHIRE  
WARRANT  
2007 TOWN MEETING

To the inhabitants of the Town of Pelham, in the County of Hillsborough and the State of New Hampshire, qualified to vote in Town affairs. You are hereby notified of the following annual Town Meeting schedule:

First Session of Annual Meeting (Deliberative)

You are hereby notified to meet at the Pelham Elementary School on Saturday, February 10, 2007 at 10:00 A.M. This session shall consist of explanation, discussion, and debate of warrant articles numbered 10 through 36. Warrant articles may be amended subject to the following limitations: (a) warrant articles whose wording is prescribed by law shall not be amended and (b) warrant articles that are amended shall be placed on the official ballot for a final vote on the main motion, as amended.

Second Session of Annual Town Meeting (Official Ballot Voting)

You are hereby notified to meet again at the Pelham High School in Pelham, on March 13, 2007 between the hours of 7 A.M. and 8 P.M. to vote by official ballot to choose all necessary town officials for the ensuing year and to vote on warrant articles numbered 1 through 36.

ARTICLE 1:

To see what action the Town will take in the election of the following officers: Two (2) Selectmen for a period of three (3) years; one (1) Town Clerk/Tax Collector for a term of three (3) years; three (3) Budget Committee Members for a term of three (3) years; one (1) Cemetery Trustee for a term of three (3) years; two (2) Library Trustees for a term of three (3) years; one (1) Trustee of Trust Funds for a term of three (3) years; two (2) Planning Board Members for a term of three (3) years; two (2) Planning Board Members for a term of two (2) years; and two (2) Planning Board Members for a term of one (1) year.

ARTICLE 2:

Are you in favor of the adoption of Amendment No. 1 as proposed by the Planning Board for the Town of Pelham Zoning Ordinance as follows: Amend Article III, "General Provisions", Sections 307-13 A, B and C to increase the buildable area required for duplex lots and to increase lot sizing requirements for lots with steep slopes as well as requiring all lots to be accessible to Fire and Police without first leaving Pelham. (Recommended by the Planning Board 5-0-0)

ARTICLE 3:

Are you in favor of the adoption of Amendment No. 2 as proposed by the Planning Board for the Town of Pelham Zoning Ordinance as follows: Amend Article V "Permitted Uses", Section 307-18, table 2 to add Auto Repair Facilities and Truck Trailers/Container Pods to the table of permitted uses, but restrict them to the Business and Industrial zones. (Recommended by the Planning Board 5-0-0)

ARTICLE 4:

Are you in favor of the adoption of Amendment No. 3 as proposed by the Planning Board for the Town of Pelham Zoning Ordinance as follows: Amend Article IX, "Senior & Elderly Housing" Sections 307-49, 50B, 52, 53-1, 53-2, 53-3 and 53-4 to clarify definitions, increase lot sizing requirements, reduce frontage requirements to minimize Town road maintenance costs, increase setbacks, and require additional amenities

(Recommended by the Planning Board 5-0-0.)

ARTICLE 5:

Are you in favor of the adoption of Amendment No. 4 as proposed by the Planning Board for the Town of Pelham Zoning Ordinance as follows: Amend Article XI "Signs", Sections 307-69, 70, 71 and 72 to clarify definitions and restrictions, to limit size, color, and message length for electronic message displays, to allow charitable event signs off-premises, to limit roof signs, to allow larger "group" signs to better identify multiple shops within plazas, and to increase sign permit fees (Recommended by the Planning Board 5-0-0.)

ARTICLE 6:

Are you in favor of the adoption of Amendment No. 5 as proposed by the Planning Board for the Town of Pelham Zoning Ordinance as follows: Amend Article XIII "Enforcement", Article 307-88D to clarify non-expiration of variances in compliance with NH State Law. (Recommended by the Planning Board 5-0-0.)

ARTICLE 7:

Are you in favor of the adoption of Amendment No. 6 as proposed by the Planning Board for the Town of Pelham Zoning Ordinance as follows: Amend Article VIII "Flood Plain Development Ordinance", to revise old definitions and add new definitions and references to NH RSAs to meet new requirements of the National Flood Insurance Program (NFIP). Failure to adopt these changes will result in Pelham being suspended from the National Flood Insurance Program.  
(Recommended by the Planning Board 5-0-0.)

ARTICLE 8:

Shall the Town vote to raise and appropriate the sum of \$7,300,000 (gross budget) for the construction of a new central fire station and to authorize the Board of Selectmen to issue \$6,900,000 in bonds or notes in accordance with the provisions of the Municipal Budget Act (RSA 33), and to authorize the Selectmen to negotiate and determine the rate of interest thereon and the maturity and other terms thereof not to exceed a term of 15 years and to take any other action they deem appropriate to effectuate the sale and/or issuance of said bonds or notes and additionally to apply \$400,000 of impact fees to the construction project and also raise and appropriate the sum of \$25,000 for the first year's interest and costs? (Recommended by Selectmen) (Recommended by Budget Committee) (3/5 Majority Vote Required)

ARTICLE 9:

To see if the Town will vote to accept all of Greenmeadow Drive and the middle portion of Longview Drive (stations 35+00 to 50+00 belonging to K&B Development) as Class V Town roads. (Recommended by the Planning Board 5-0-0)

ARTICLE 10:

To see if the Town will authorize the Board of Selectmen to accept Quail Run Lane as a Class V Town road once the off-site improvements are completed to the satisfaction of the Planning Board and to accept Empire Road as a Class V Town road once the remaining project items are completed to the Planning Board's satisfaction. The Selectmen shall conduct a public hearing prior to final action. (Recommended by the Planning Board 5-0-0)

ARTICLE 11:

Shall the Town vote to hear the reports of auditors, agents, and other committees heretofore chosen and pass any votes relating thereto? (Majority Vote Required)

ARTICLE 12:

Shall the Town vote to raise and appropriate as an operating budget, not including appropriations by special warrant articles and other appropriations voted separately, the amounts set forth on the budget posted with the warrant or as amended by vote of the first session, for the purposes set forth herein, totaling \$9,916,234? Should this article be defeated, the default budget shall be \$9,567,713 which is the same as last year with certain adjustments required by previous action of the Town or by law; or the governing body may hold one special meeting in accordance with RSA 40:13, X and XVI, to take up the issue of a revised operating budget only. (\$9,992,620 approved by the Selectmen) (Majority Vote Required)

<u>Dept</u>	<u>2007</u>	
	<u>BOS Recommended</u>	<u>BudCom Recommended</u>
Assessor	\$94,052	\$94,052
Budget Committee	\$2,469	\$2,469
Cable Department	\$78,460	\$78,460
Cemetery	\$119,224	\$118,939
Conservation Committee	\$9,698	\$8,298
Debt Service Interest	\$238,735	\$238,735
Debt Service Principal	\$440,746	\$440,746
Elections	\$14,112	\$14,112
Emergency Management	\$72,165	\$72,165
Fire Department	\$1,376,673	\$1,335,088
Health Officer	\$4,250	\$4,250
Health Services	\$50,050	\$50,050
Highway Maintenance	\$879,125	\$877,670
Human Services	\$80,905	\$80,905
Insurance	\$1,248,075	\$1,248,075
Legal	\$90,000	\$90,000
Library	\$228,812	\$228,756
Parks & Recreation	\$232,071	\$197,071
Planning Dept	\$267,872	\$265,372
Police Department	\$2,082,424	\$2,084,390
Retirement	\$644,619	\$644,619
Selectmen Expenses	\$469,750	\$469,550
Senior Center	\$68,932	\$68,060
Town Buildings	\$460,973	\$460,973
Town Celebrations	\$9,550	\$9,550
Town Clerk	\$184,829	\$189,829
Transfer	\$536,169	\$536,169
Treasurer	\$7,830	\$7,830
Trust Funds	\$50	\$50
	\$9,992,620	\$9,916,234

ARTICLE 13:

Shall the Town vote to raise and appropriate the sum of \$100,000 to be placed in the Compensated Absence Trust Fund for the purpose of disbursing accrued time (annual vacation and sick leave) to terminating employees as required by law and/or negotiated contracts? The fund is currently depleted. \$70,000 of this amount would meet projected current growth in the liability and \$30,000 would accrue toward the present unfunded liability of \$583,873. (Recommended by Selectmen) (Recommended by Budget Committee) (Majority Vote Required)

ARTICLE 14:

Shall the town vote to authorize the Selectmen to enter into a 5 year lease agreement for \$345,000 for the purpose of leasing/purchasing a Fire Pumper Truck and to raise and appropriate the sum of \$ 81,900 for the first year's payment for that purpose? This agreement will have a non-appropriation and non-replacement clause as prescribed by state statute. (Recommended by Selectmen)(Recommended by Budget Committee)(Majority Vote Required)

ARTICLE 15:

Shall the town vote to raise and appropriate the sum of \$138,901 for the purpose of hiring and equipping four new Firefighter/EMT positions? The amount raised equals the costs from July to December, 2007 after which the position, if approved, will be funded through the Fire Department operating budget. (Recommended by Selectmen) (Recommended by Budget Committee) (Majority Vote Required)

ARTICLE 16:

Shall the town vote to raise and appropriate the sum of \$45,071 for the purpose of funding and equipping a Full Time Deputy Fire Chief? The amount raised equals the costs from July to December, 2007 after which the position, if approved, will be funded through the Fire Department operating budget. (Recommended by Selectmen) (Not Recommended by Budget Committee) (Majority Vote Required)

ARTICLE 17:

Shall the town vote to establish a Capital Reserve Fund under the provisions of RSA 35:1 for the purpose of enabling safety measures to protect against pandemics and outbreaks such as West Nile Virus and EEE and to appoint the Selectmen as agents to expend and furthermore to raise and appropriate the sum of \$40,000 to be placed in this fund? (Recommended by Selectmen) (Recommended by Budget Committee) (Majority Vote Required)

ARTICLE 18:

Shall the Town vote to approve cost items included in the three year Collective Bargaining Agreement ratified by the Board of Selectmen of the Town of Pelham and the Professional Fire Fighters of Pelham, International Association of Fire Fighters Local 4546, which calls for the following increases in salaries and benefits and to further raise and appropriate \$46,683 to fund the first year of the agreement?

<u>YEAR</u>	<u>COST</u>	<u>ACCUMULATED COST</u>
2007	\$46,683	

2008	\$69,186	\$115,869
2009	\$63,594	\$185,055

(Recommended by Selectmen) (Recommended by Budget Committee) (Majority Vote Required)

ARTICLE 19:

Shall the town vote to raise and appropriate the sum of \$45,651 for the purpose of hiring and equipping one new Police Officer? The amount raised equals the costs from June to December, 2007 after which the position, if approved, will be funded through the Police Department operating budget. (Recommended by Selectmen) (Recommended by Budget Committee) (Majority Vote Required)

ARTICLE 20:

Shall the town vote to raise and appropriate the sum of \$244,407 for repair, maintenance and upgrading of town roads, to be offset by the State Highway Grant for highway construction? This will be a non-lapsing account per RSA 32:7. (Recommended by Selectmen)(Recommended by Budget Committee) (Majority Vote Required)

ARTICLE 21:

Shall the town vote to raise and appropriate the sum of \$35,000 to be placed in the Tallant Road / Willow Street Bridge Capital Reserve Fund? This funding is for the Willow Street Bridge which is identified by the State of New Hampshire as being sub-standard and is eligible for 80% grant reimbursement. There is approximately \$113,000 in this fund. (Recommended by Selectmen) (Recommended by Budget Committee) (Majority Vote Required)

ARTICLE 22:

Shall the Town vote to raise and appropriate the sum of \$170,000 for the purpose of obtaining State Permits and constructing a second egress from George M. Muldoon Park on to Nashua Road? (Recommended by Selectmen) (Recommended by Budget Committee) (Majority Vote Required)

ARTICLE 23:

Shall the town vote to raise and appropriate the sum of \$195,000 to construct two soccer fields and to correct and address drainage and erosion issues at Raymond Park in compliance with the town's State Permit issued by the Department of Environmental Services? (Recommended by Selectmen) (Recommended by Budget Committee) (Majority Vote Required)

ARTICLE 24:

Shall the Town vote to raise and appropriate the sum of \$39,000 for the purpose of refurbishing the current bathrooms at the Pelham Veteran's Memorial Park? (Recommended by Selectmen) (Recommended by Budget Committee) (Majority Vote Required)

ARTICLE 25:

Shall the Town vote to raise and appropriate up to \$35,000 from the Forestry Trust Fund for the purpose of land stewardship (signage, trail maps, parking, etc.), forest management, tree care, security, public education, and other costs associated with the maintenance and care of Town forestland? The balance of this fund is approximately \$94,000. All expenditures to be approved by the Board of Selectmen. This is a non-lapsing account.

Funds requested come from revenues produced by timber harvesting, not property taxes. No tax impact. (Recommended by Forestry Committee) (Recommended by Conservation Commission) (Recommended by Selectmen) (Recommended by Budget Committee) (Majority Vote Required).

ARTICLE 26:

Shall the town vote to raise and appropriate the sum of \$198,000 to correct code issues with electrical and sprinkler systems in Sherburne Hall and to furthermore install heating, ventilation, and air conditioning systems? (Recommended by Selectmen) (Recommended by Budget Committee) (Majority Vote Required)

ARTICLE 27:

Shall the Town vote to establish a Senior Center Building Capital Reserve Fund under the provisions of RSA 35:1 for the purpose of constructing an addition and making improvements to the current Senior Center and to raise and appropriate the sum of \$100,000 to be placed in that fund for that purpose? (Recommended by Selectmen) (Recommended by Budget Committee) (Majority Vote Required)

ARTICLE 28:

To see if the Town will vote to designate the "Lower Beaver Brook" wetland system as a prime wetland as authorized in RSA 482-A:15. No tax impact. (Recommended by Planning Board and Conservation Commission)

ARTICLE 29:

To see if the town will vote to adopt Pelham interim residential growth management regulation.

To insure that growth occurs in an orderly, planned manner that town services such as safety, schools, roads, municipal infrastructure, human services, fire, police, and value are all maintained. "To preserve and enhance the existing community character and value of property". (Submitted by Petition) (Not Recommended by the Planning Board) (Majority Vote Required)

ARTICLE 30:

To see if the town will vote to raise and appropriate the sum of \$30,000 to pay for the cost to clean up an illegal tire dump including oversight costs and the costs of disposing the tires and other unsuitable materials located in a portion of the J. Albert Lynch addition to the Elmer G. Raymond Park. Passage of this article will not prevent the Town from seeking further restitution against those whom may be found responsible for the creation of the illegal tire dump. If this article fails, it will not prevent the Town of Pelham from taking any action to clean up the tire dump with other funds. (Submitted by Petition) (Not Recommended by Selectmen) (Recommended by Budget Committee) (Majority Vote Required)

ARTICLE 31:

To see if the town will vote to raise and appropriate the sum of nine hundred and sixty thousand dollars (\$960,000) for the purpose of constructing a multipurpose 140'x120' gymnasium facility in Pelham Veterans Memorial Park with 52'x36' available for a stage, office and conference space. User fees collected from groups using the multipurpose gym facility will be returned to the Town of Pelham and will offset a portion of the appropriation. (Submitted by Petition) (Not Recommended by Selectmen) (Not Recommended by Budget Committee) (Majority Vote Required)

#### ARTICLE 32:

Pursuant to RSA Chapter 673:2 Subsection II.(a), are you in favor of allowing the Board of Selectmen to appoint the 6 members of the Planning Board who are residents of the town. The Planning Board is a Quasi-judicial board according to State Statute and as such must follow specific laws and duties. (Submitted by Petition) (Majority Vote Required)

#### ARTICLE 33:

Shall to Town of Pelham vote to raise and appropriate the sum of \$100,000 for the purpose of fixing the traffic problems at the intersection of Mammoth Rd. and Sherburne Rd. These Roads are State Roads. No money is available in the State Budget to fix this intersection presently nor will it be scheduled in the 14 year State Transportation Plan. Said Money would be combined with funds collected from approved residential developments on Sherburne Rd. and surrounding areas and be used for the minimum down payment of 30% needed in order to apply for CTAP or other grants in order to complete this project with funds allocated to communities within the Rte 93 widening corridor. (Submitted by Petition) (Recommended by Selectmen) (Not Recommended by Budget Committee) (Majority Vote Required)

#### ARTICLE 34:

To see if the town will go on record in support of effective actions by the President and the Congress to address the issue of climate change which is increasingly harmful to the environment and economy of New Hampshire and to the future well being of the people of Pelham.

These actions include:

1. Establishment of a national program requiring reductions of U.S. greenhouse gas emissions while protecting the U.S. economy.
2. Creation of a major national research initiative to foster rapid development of sustainable energy technologies thereby stimulation new jobs and investment.

In addition, the town of Pelham encourages New Hampshire citizens to work for emission reductions within their communities, and we ask our Selectmen to consider the appointment of a voluntary energy committee to recommend local steps to save energy and reduce emissions.

The record of the vote on this article shall be transmitted to the New Hampshire Congressional Delegation to the President of the United States, and to declared candidates for those offices. (Submitted by Petition) (Majority Vote Required)

#### ARTICLE 35:

To see if the town will vote to raise and appropriate the sum of Twenty Thousand Dollars (\$20,000) to be combined with Twenty Thousand Dollars (\$20,000) of private funds provided by the Pelham Little League organization and its volunteer membership to install fencing and sprinkler system on the two new fields behind the playground at Muldoon Park. (Submitted by Petition) (Not Recommended by Selectmen) (Not Recommended by Budget Committee) (Majority Vote Required)

ARTICLE 36:

To see if the Town will vote to raise and appropriate the sum of \$148,164.80 for the purpose of building a Cemetery Garage and that the Board of Selectmen consider naming the facility in memory of Red Gibson. The department needs garage space for equipment along with space for a small office, bathroom and meeting room. This will be a non-lapsing account per RSA 32:7 and will not lapse until the project is complete or in two years, whichever is less. (Recommended by the Cemetery Trustees) (Recommended by Budget Committee) (Majority Vote Required)